

1 the stations.

2 Q Okay. You are referring to the top two checks on
3 page 14, correct?

4 A That's correct.

5 JUDGE STEINBERG: Did you see him sign them? Did
6 you see Mr. Rice sign those two checks, to the -- I mean, if
7 you don't remember, you ---

8 THE WITNESS: I don't remember, you know, whether
9 I saw him. I probably did the same time.

10 JUDGE STEINBERG: But you don't know? I mean, you
11 didn't see him do it?

12 THE WITNESS: No.

13 BY MR. GAFFNEY:

14 Q Do you know whether Mr. Rice could have signed
15 such a check on April 5th of 1991?

16 A No, he could not have.

17 Q And why is that?

18 A Well, because the checks were already in the
19 possession of the employees on the 5th of April.

20 Q Directing your attention to page 15, and, in
21 particular, the bottom two checks dated April 5, 1991,
22 written on Contemporary Broadcasting, Inc. account.

23 A Um-hmm.

24 Q Do you know if those checks were signed by Mr.
25 Rice on April 5, 1991?

1 A No, they were not.

2 Q And for the same reasons you just described with
3 the other April 5th checks?

4 A Yes.

5 Q Directing your attention to the top two checks
6 that are dated April 3 of 1991, and one is to Knight Ford
7 Right Atwell, and the other is to Lamarge & Company.

8 Do you see those two checks?

9 A Yes.

10 Q And the dates on those checks are April 3, 1991?

11 A Yes.

12 Q Is that Mr. Rice's signature on each check right
13 above yours?

14 A Yes.

15 Q Were those signed before or after Michael Rice was
16 hospitalized?

17 A Before.

18 Q Okay. Do you know when Mr. Rice as hospitalized,
19 what time of the day, approximately, on April 3rd?

20 A I just know it was late at night.

21 Q Were these checks signed early that day?

22 A They were signed during the business day.

23 Q And did you know that Mr. Rice signed them? Do
24 you have personal knowledge of that?

25 A I did not see him sign them.

1 Normally, I would sign checks after he did.

2 Q Would Mr. Rice have been able to sign these checks
3 after his hospitalization on April 3, 1991?

4 A No.

5 Q Now, directing your attention to page 16, and, in
6 particular, the top two checks. The first check dated April
7 3, 1991, to Gerald F. Probst.

8 Do you know whether Mr. Rice signed that check
9 before or after he was hospitalized?

10 A Before.

11 Q Okay, and for the same reasons you just described
12 for the April 3 checks on page 15?

13 A That's correct.

14 Q The second check on that page, is that Mr. Rice's
15 signature?

16 A Yes.

17 Q And the date is April 5th?

18 A Correct.

19 Q Do you know if Mr. Rice signed this check on April
20 5th?

21 A No, he didn't.

22 Q Okay. When, approximately, did he sign them?

23 A Well, a week, 10 days prior to that. Same
24 circumstances. Like I said, payroll time sheets usually
25 came in on Monday's mail, payroll was processed that day,

1 and signed, and sent back out to the stations.

2 Q So it would have been signed before Mr. Rice's
3 hospitalization, correct?

4 A Correct.

5 MR. GAFFNEY: On that basis, Your Honor, we would
6 like to move to delete those eight checks that have been
7 identified from the roster of checks on page A of the
8 Bureau's Exhibit No. 10.

9 MR. ZAUNER: The Bureau has no objection.

10 JUDGE STEINBERG: Okay. So we will revise the
11 ruling and -- well, actually we don't have to revise the
12 ruling. Just page 14, 15 and 16 of Bureau Exhibit No. 10
13 will be stricken

14 Do you want to withdraw them?

15 MR. MASTANDO: Yes, Your Honor, we withdraw those
16 pages.

17 JUDGE STEINBERG: Okay. So page 14, 15 and 16 of
18 Bureau Exhibit 10 are withdrawn, and the remainder of the
19 exhibit remains received.

20 MR. GAFFNEY: We would ask only, Your Honor, that
21 on page A where it has a tally of the checks, that those
22 numbers be adjusted according with the deletion. There
23 would be 31 out of 496 checks, if my math is right, Your
24 Honor.

25 JUDGE STEINBERG: I have already shown that I

1 can't do math in my head, at least when we've got a lot of
2 zeroes involved.

3 So is that okay, Mr. Zauner?

4 MR. ZAUNER: That's fine, Your Honor.

5 JUDGE STEINBERG: So what's the new number?

6 MR. GAFFNEY: That would be 31 out of 496. We
7 receive eight from each column.

8 JUDGE STEINBERG: Okay, so you provided 504 checks
9 to the Bureau, of those you want to make it --

10 MS. SADOWSKY: 496, and then the 39 is changed to
11 31.

12 JUDGE STEINBERG: So basically it's 496 checks, 31
13 of 496.

14 MR. GAFFNEY: Correct, Your Honor.

15 JUDGE STEINBERG: Okay. But I mean, you still
16 submitted 504 checks, so that number is not changed, right?

17 MR. GAFFNEY: Well, 504 checks for the period
18 between April --

19 JUDGE STEINBERG: Yes. I mean, there are still
20 504 checks.

21 MS. SADOWSKY: That's right.

22 JUDGE STEINBERG: So if you want to say --

23 MR. GAFFNEY: You are correct, Your Honor.

24 JUDGE STEINBERG: -- that it's 31 --

25 MR. GAFFNEY: Thirty-one of the 504.

1 JUDGE STEINBERG: Right.

2 MR. GAFFNEY: I got a little over-zealous in my
3 subtraction, Your Honor.

4 JUDGE STEINBERG: No, you just like subtracting,
5 you know. I personally like long division and figuring out
6 square roots, but, you know, that's another story.

7 Okay, so it's basically the 504 checks, 31 here.
8 So we don't have to -- and Mr. Zauner agrees with that?

9 MR. MASTANDO: Your Honor, the relevant period is
10 from his insulation to his incarceration. And if those
11 checks are outside the period of his insulation, then they
12 shouldn't be included in the 504. It should be reduced to
13 496.

14 JUDGE STEINBERG: Well, let's just leave the --
15 oh, I see, because if you change it to 496, it's --

16 MR. MASTANDO: Percentages.

17 JUDGE STEINBERG: It's a higher percentage.

18 Argue it in your findings. We will just leave it.
19 You know, you have got 31 checks, and whatever the universe
20 is.

21 MR. GAFFNEY: And there is only one other
22 housekeeping matter here, Your Honor, and that is some of
23 these are payroll checks, and for the sake of privacy and
24 proprietary information we would like to have the
25 opportunity to white out the names of the recipients of the

1 payroll checks, if we can.

2 JUDGE STEINBERG: It really doesn't matter to me,
3 but if you think anybody is going to look at this outside of
4 this room, I mean, I don't think the Terra Haute newspapers
5 are going to come in here and look at Bureau Exhibit 10 to
6 find out how much somebody is getting paid.

7 MR. GAFFNEY: Our clients expressed that concern,
8 and if the Bureau has any objection --

9 MR. MASTANDO: We have no objection.

10 JUDGE STEINBERG: Okay.

11 MR. GAFFNEY: We would just ask permission to do
12 that, Your Honor, and if it becomes unnecessary we will --

13 JUDGE STEINBERG: Well, I will tell you what you
14 do. You want to put in and Exhibit 10-A taking out the last
15 pages and whiting out the names, and we can withdraw Exhibit
16 10, and admit 10-A.

17 MR. MASTANDO: That will be fine, Your Honor.

18 MR. GAFFNEY: And we will work with the Bureau to
19 get that done.

20 JUDGE STEINBERG: And, you know, in terms of just
21 the -- instead of the person's name just write "payroll
22 check" so there is no question that that's what it is.

23 MR. GAFFNEY: Thank you, Your Honor.

24 JUDGE STEINBERG: But for now, you know, we have
25 Exhibit 10.

1 MR. GAFFNEY: And I have no further questions for
2 Ms. Cox.

3 JUDGE STEINBERG: Okay, I guess Mr. Zauner will
4 cross-examine?

5 MR. ZAUNER: Yes, Your Honor.

6 CROSS-EXAMINATION

7 BY MR. ZAUNER:

8 Q Good morning, Ms. -- is it Mrs. Cox?

9 A Mrs., yes.

10 Q My name is Bob Zauner, and I am an attorney with
11 the Mass Media Bureau, and I'm going to be cross-examining
12 you this morning.

13 While we are on the subject of the payroll checks,
14 let me call your attention to page one of Mass Media Bureau
15 Exhibit 10.

16 Do you have a copy in front of you?

17 JUDGE STEINBERG: She doesn't --Ms. Cox doesn't
18 have a copy of that.

19 BY MR. ZAUNER:

20 Q Let me call your attention to the top check on
21 page 1. Is that a payroll check?

22 A Yes.

23 Q And it's for \$43.92?

24 A Yes.

25 Q Was it a partial pay period?

1 A No.

2 Q Was this a full paycheck for this individual?

3 A Yes.

4 Q How many hours did this individual work?

5 A I don't know, but this is an individual who may
6 only work one shift during the whole pay period; a part-time
7 individual.

8 Q The next check, Deborah L. Meeker, was that a
9 payroll check?

10 A Yes.

11 JUDGE STEINBERG: Don't mention the names, or if
12 you mention the names, don't mention the number.

13 MR. ZAUNER: Okay.

14 JUDGE STEINBERG: Because of the privacy
15 considerations. If you want to do initials, you can give
16 these people code names.

17 MR. ZAUNER: Okay.

18 BY MR. ZAUNER:

19 Q I presume that the two checks at the bottom of the
20 page are not payroll?

21 A That's correct.

22 Q I call your attention to page 2, and again are the
23 top two checks payroll checks?

24 A Yes.

25 Q Are the bottom two not payroll?

1 A That's correct.

2 Q Draw your attention to page 3.

3 Are the top two checks payroll?

4 A Yes.

5 Q Are the bottom two checks not payroll?

6 A Correct.

7 Q The next page, are the -- is the third check from
8 the bottom not payroll?

9 A No, that's a payroll check.

10 Q Addressed to the City of Columbia?

11 JUDGE STEINBERG: No, you said third check from
12 the bottom.

13 MR. ZAUNER: Oh, I'm sorry. Third check from the
14 top. No, the third --

15 JUDGE STEINBERG: The top, the top two, on every
16 page are the top two payroll, and the bottom two payroll,
17 and the bottom two not payroll?

18 MR. GAFFNEY: I think it's indicated in my letter,
19 Your Honor.

20 JUDGE STEINBERG: Yes. I think it is too.

21 MR. ZAUNER: Okay.

22 JUDGE STEINBERG: Why don't we have Ms. Cox look
23 through the remaining pages and indicate whether the top two
24 checks on each page are payroll, and the bottom two aren't.

25 (Witness reviews document.)

1 THE WITNESS: Okay, on page 8 the top two are not
2 payroll, and the two bottom ones are payroll. The same is
3 true of page 9. Some of these are hard to read.

4 JUDGE STEINBERG: How about page 10, the top two
5 payroll?

6 THE WITNESS: Yes, sir.

7 JUDGE STEINBERG: And the second one is Michael S.
8 Rice?

9 THE WITNESS: That's correct.

10 JUDGE STEINBERG: So he was getting a payroll
11 check while he was hospitalized? Was this during the period
12 of his hospitalization?

13 THE WITNESS: No, this is 19 -- what is the date
14 on that?

15 JUDGE STEINBERG: 1-10-92, it looks like to me.
16 Does it look like that to everybody?

17 THE WITNESS: Yes.

18 JUDGE STEINBERG: Okay, everybody is nodding in
19 the affirmative.

20 THE WITNESS: No, he wasn't hospitalized then.

21 JUDGE STEINBERG: Okay. So this was after his
22 period of hospitalization, and he was getting a payroll
23 check?

24 THE WITNESS: That's correct.

25 JUDGE STEINBERG: And did he get a payroll check

1 every pay period after he was released from the hospital?

2 THE WITNESS: Yes.

3 JUDGE STEINBERG: And was it about the amount
4 shown on here?

5 THE WITNESS: Yes.

6 JUDGE STEINBERG: Okay, we won't delete the name
7 from this check. Is this the only Michael Rice check in
8 these pages?

9 MR. GAFFNEY: I think that's correct, Your Honor.

10 JUDGE STEINBERG: You may want to ask some
11 questions about that.

12 THE WITNESS: On page 15 the two bottom check --

13 JUDGE STEINBERG: Okay, page 15 was withdrawn so
14 you don't have to worry about that.

15 THE WITNESS: Oh, all right.

16 JUDGE STEINBERG: So basically -- okay.

17 BY MR. ZAUNER:

18 Q Just let me call your attention to page 4, and at
19 the top of the page is a check, and the signature above
20 yours appears to me to be M. R. Rice.

21 A That's correct.

22 Q Is that Michael Rice?

23 A No, that's Malcolm R. Rice.

24 Q And what is the relationship between Malcolm R.
25 Rice and Michael Rice?

1 A Malcolm R. Rice is Michael Rice's father.

2 Q Let me call your attention to Contemporary Exhibit
3 1, which is your direct testimony.

4 Do you have that in front of you?

5 A Okay.

6 Q And let me call your attention to page 5.

7 You indicate there that prior to April 1991 that
8 you were involved and responsible for the hiring and
9 training of the station's traffic and sales employees.

10 Did you hire for all stations?

11 A Yes, in connection with the general managers.

12 Q Okay. Did you work with the general managers in
13 selecting employees?

14 A Yes.

15 Q And you and the general managers would jointly
16 make the decision on who to hire?

17 A Sometimes.

18 Q And sometimes just the general manger?

19 A That's right.

20 Q And sometimes just you perhaps?

21 A Yes.

22 Q Did you get Mr. Rice's approval generally on who
23 you hired for sales positions?

24 A No.

25 JUDGE STEINBERG: Okay, when you say "Mr. Rice,"

1 we're always talking about Michael Rice?

2 MR. ZAUNER: We're always talking about Michael
3 Rice unless we differentiate.

4 THE WITNESS: Right.

5 BY MR. ZAUNER:

6 Q You indicate also that you develop the station's
7 annual budgets.

8 Did you review these budgets with Mr. Rice?

9 A No.

10 Q Did these budgets include budgets for capital
11 expenditures for the stations?

12 A Yes.

13 Q Did you discuss what capital expenditures would be
14 made for the stations with Mr. Rice prior to April of 1991?

15 A Sometimes.

16 Q You indicate in paragraph 15 thought that in 1988,
17 when Michael Rice and others formed Lake, that you were
18 involved in the station's start up; that you had hired the
19 sales support staff and established all the procedures.

20 Who determined the station's programming format?

21 A Dennis Klautzer.

22 Q How do you know that?

23 A Because we had, in talking about what it was going
24 to cost to operate the facility and that, it was discussed
25 what type of programming we could do, and these were

1 proposals from different entities. That is Dennis's
2 specialty is programming.

3 Q You indicate on the next page, page 6, that you
4 negotiated contracts and made presentations to banks for
5 loans, and this is in connection with the Lake facility; is
6 that correct?

7 A All facilities.

8 Q Now, prior to April of 1991, when you went to the
9 bank to negotiate a contract to make a presentation in
10 support of a loan, had you consulted with Michael Rice
11 concerning the presentation that you were going to make and
12 the amount of the loan you were going to seek?

13 A Sometimes.

14 Q Were there times when you actually went into
15 borrow money into the bank with Mike Rice knowing you were
16 doing so?

17 We're talking now prior to April of 1991 yet?

18 A Not that he did not know about it. He may not
19 know exactly what the presentation was.

20 Q Now, in April of 1991, your testimony is that
21 Michael Rice was insulated from the day-to-day activities of
22 the station and the management of the station.

23 And you indicate that subsequent to his release
24 from the hospital he began to engage in limited and sporadic
25 engineering tasks.

1 How did that come about, that he became involved
2 in this aspect of the station's activities?

3 A Well, on the advice of his doctors.

4 Q Did he come to you though and say, "I want to do
5 this"?

6 A Yes.

7 JUDGE STEINBERG: You never spoke to his doctors?

8 THE WITNESS: No.

9 BY MR. ZAUNER:

10 Q And he was the one who told you that his doctors
11 had advised him to become active again?

12 A Yes.

13 Q That this was the area in which he chose to become
14 active?

15 A Yes.

16 Q Did you discuss with him at that time what kind of
17 projects he would be interested in working on?

18 A Yes.

19 Q And what did he tell you?

20 A Well, he said he might be interested in time to
21 time working on repair of equipment, things of that nature,
22 but he said nothing -- nothing heavy.

23 Q Did he give you any indication of how frequently
24 he wanted to become involved in these kinds of things?

25 A I think maybe he may have used the term

1 "occasionally" or "once in awhile."

2 Q How was it determined what projects he would be
3 permitted to work on? Did you make this determination?

4 A Yes.

5 Q Did you discuss with your legal counsel Michael
6 Rice's involvement in this aspect of the station activities?

7 MR. GAFFNEY: Objection, Your Honor. That would
8 be privileged communications.

9 MR. ZAUNER: I am not asking for the substance of
10 the communications. I'm just asking whether she discussed
11 it.

12 JUDGE STEINBERG: Okay. Do you know what the
13 attorney/client privilege is?

14 THE WITNESS: Well, I think I do.

15 JUDGE STEINBERG: Okay. It's basically any
16 discussions that you have had with your attorneys seeking
17 their advice, et cetera. It would be -- you don't have to
18 disclose to us, unless you want to.

19 Anybody want to say anything -- is that basically
20 it?

21 MR. GAFFNEY: To the extent that question seeks a
22 time when a communication may or may not have occurred, as
23 far as that goes, that's okay. I just don't want this
24 witness to invade the attorney/client privilege by speaking
25 about the content.

1 Your follow up might have answered that, Mr.
2 Zauner. I don't know if the objection stands if all you are
3 looking for is a date.

4 JUDGE STEINBERG: Well, basically, what the
5 question was -- okay, to get it down to the nitty-gritty is
6 at some point in time Mr. Rice came to you and said, "I want
7 to do stuff for the station," is that right?

8 THE WITNESS: Um-hmm.

9 You have to answer yes. You can't just say "um-
10 hmm."

11 THE WITNESS: Yes.

12 JUDGE STEINBERG: Okay. And what Mr. Zauner is
13 asking is before you said, "Okay, you can do stuff for the
14 station," you talked to your attorneys about it.

15 Is that the gist of it?

16 MR. GAFFNEY: What she talked to her attorneys
17 about, Your Honor, would be privileged communications.

18 JUDGE STEINBERG: Okay. Yeah, what you talked
19 about, but whether you talked to your attorney isn't.

20 MR. GAFFNEY: That's correct.

21 JUDGE STEINBERG: I guess.

22 MR. GAFFNEY: You want a date of when we talked to
23 attorneys, but if we tie it into an act taken pursuant to
24 that advice or the nature of that advice, it would be
25 privileged.

1 JUDGE STEINBERG: Okay.

2 BY MR. ZAUNER:

3 Q Before agreeing to permit Mr. Rice to perform
4 these functions, did you speak to your attorney?

5 A Yes.

6 JUDGE STEINBERG: Which attorneys did you speak
7 with? I mean, the attorneys in the firm of Rosenman &
8 Colin?

9 THE WITNESS: Yes.

10 JUDGE STEINBERG: The FCC attorneys?

11 THE WITNESS: Yes.

12 BY MR. ZAUNER:

13 Q Let me call your attention to page -- well --

14 JUDGE STEINBERG: I mean, we're going to have a
15 problem with this later because we have documents in here,
16 representations made to the Commission that were signed by
17 attorneys.

18 MR. GAFFNEY: Those wouldn't be private
19 communications between --

20 JUDGE STEINBERG: But how certain language got
21 into those documents might be inquired into. And I mean, I
22 am just notifying you that I have lots of questions in that
23 area.

24 MR. GAFFNEY: Okay.

25 JUDGE STEINBERG: And so you might want to think

1 about that because if we don't have answers to certain --
2 well, I can't make presumptions, but without having certain
3 answers or certain information might not be able to develop
4 a full record. I may have to have some attorneys come and
5 testify. I am putting you on notice of that.

6 MR. GAFFNEY: Well, I don't know that an attorney
7 could testify about attorney communications with --

8 JUDGE STEINBERG: An attorney can testify as to
9 how certain language got into letters.

10 MR. GAFFNEY: Well, the objection --

11 JUDGE STEINBERG: Well, we will cross that bridge
12 when we --

13 MR. GAFFNEY: -- is front of us, Your Honor.

14 JUDGE STEINBERG: Well, I am just notifying you.

15 MR. ZAUNER: Let me call your attention to page 9
16 of your testimony. You indicate there that within a few
17 weeks after Mr. Rice was admitted to the hospital that you
18 traveled to the stations for meetings with the stations'
19 staffs.

20 Who precisely did you meet with at the stations?

21 A We called a general staff meeting, and at some of
22 the facilities all employees attended, some of them didn't.

23 Q And you did this at each of the stations?

24 A That is correct.

25 Q What instructions did you give the staff with

1 regard to Michael Rice at this time?

2 A Just the facts; that he had -- that Mr. Rice was
3 hospitalized, and would not be involved in the operations of
4 the stations. We continued to operate the stations in the
5 manner in which we had, very professionally, and that these
6 individuals were that station, not anyone else, but those
7 individuals were

8 Q Did you tell them specifically that a resolution
9 had been passed by the board of directors that Mike Rice was
10 not to be involved --

11 A No.

12 Q -- in station activities?

13 A No.

14 Q Did you tell them that even after Mike Rice leaves
15 the hospital he is not to be involved in station activities?

16 A No.

17 Q You just told them that while he is in the
18 hospital that he's not to be involved in the station
19 activities?

20 A Well, I didn't give any specific time. I just
21 stated that Mr. Rice was hospitalized, and was not involved
22 in the operation of the facilities, because at that point in
23 time I don't know how long he was going to be in the
24 hospital.

25 Q Did you put anything in writing to this effect to

1 the employees or just, you know, an oral transmission?

2 A Oh, no, I wrote this down so it was definitely
3 said, I read my statement.

4 Q But you didn't give them a copy of --

5 A No, I did not.

6 Q -- anything?

7 Do you have a copy of that statement? Is that
8 still available?

9 A No, I do not.

10 Q Did Mike Rice have offices at these stations that
11 you were visiting?

12 A No.

13 Q None of these stations had an office for Mike
14 Rice? A At one time one of the

15 facilities we had what was considered a corporate office,
16 but not having actually an office.

17 Q Which facility was that?

18 A In Terra Haute.

19 Q Is that WZZQ?

20 A And WBOW, WBFX, they are all located in the same
21 facility.

22 Q Was Mike Rice's name put on any letterhead at the
23 stations?

24 A No.

25 Q Was there any signs posted indicating Mike Rice's

1 involvement in the stations at the stations?

2 JUDGE STEINBERG: Do you want to break it down by
3 state? Was his name on the letterhead?

4 MR. ZAUNER: We are now talking about after April
5 of 1991.

6 THE WITNESS: I don't believe so.

7 JUDGE STEINBERG: Was his name on the letterhead
8 of the stations before April '91?

9 THE WITNESS: No.

10 JUDGE STEINBERG: Yes, I think if we get before
11 and after it would be more meaningful.

12 BY MR. ZAUNER:

13 Q Was there any -- what was the functional change
14 for you that occurred after April 1, 1991, in terms of your
15 duties at the -- to the Licensees?

16 A Really not much at all. Biggest change was
17 knowing that if I had someone to call about wanting to rent
18 tower space, I had to deal with that.

19 JUDGE STEINBERG: Are you talking about space on
20 towers owned by Michael Rice?

21 THE WITNESS: Um-hmm.

22 JUDGE STEINBERG: If somebody wanted -- that's a
23 yes?

24 THE WITNESS: Yes.

25 JUDGE STEINBERG: If somebody wanted to rent space

1 on one of Mr. Rice's towers, they dealt with you and not Mr.
2 Rice?

3 THE WITNESS: That's correct.

4 BY MR. ZAUNER:

5 Q You indicate that Michael Rice was an engineering
6 and music enthusiast, had always been more involved in the
7 technical production side of the station operation.

8 What do you mean by "production side of station
9 operations"?

10 A Well, that's just where his interests actually
11 lie, was more in the engineering, and, I guess, programming,
12 from that standpoint, not actually the business part of it,
13 as far as dealing with personnel, setting of business
14 procedures, as more than, I guess you want to say day-to-day
15 paper type work follow-through, that type of thing.

16 Q When you say "production side of the station
17 operations," are you talking about the sound that the
18 station --

19 A Um-hmm.

20 Q -- produces?

21 A Right.

22 JUDGE STEINBERG: That's a yes?

23 THE WITNESS: Yes.

24 JUDGE STEINBERG: When you say "production," are
25 you talking about making commercials?

1 THE WITNESS: No, no. I'm talking --

2 JUDGE STEINBERG: That's what I, when I hear
3 "production," I hear making commercials, you know, doing
4 what's necessary to get announcers saying certain things.
5 But that's not what you mean.

6 THE WITNESS: No, no.

7 JUDGE STEINBERG: I think Mr. Zauner is asking
8 what do you mean by that.

9 THE WITNESS: We're talking about whether this
10 piece of equipment or this type of microphone will better
11 interface with that type or piece of equipment. Technical,
12 because that's what produces your sound, your programming
13 sound.

14 BY MR. ZAUNER:

15 Q So you're talking about the -- what do you call
16 this? The way the station sounds when it's --

17 A From a technical standpoint, yes.

18 Q -- when it's received by its audience?

19 A Right.

20 Q And you are not talking about the announcers,
21 whether they are doing a good job specifically, or whether
22 the music format is the correct music format for the market,
23 but you're talking more of the technical aspect of the
24 quality of the signal that's produced?

25 A Right. I mean, he had an interest in it, but